United Nations S/2007/583

Security Council

Distr.: General
1 October 2007

Original: English

Letter dated 19 September 2007 from the Chairman of the Security Council Committee established pursuant to resolution 1373 (2001) concerning counter-terrorism addressed to the President of the Security Council

The Counter-Terrorism Committee has received the attached report from Ghana submitted pursuant to paragraph 6 of resolution 1373 (2001) (see annex).

I would be grateful if you could arrange for the present letter and its annex to be circulated as a document of the Security Council.

(*Signed*) Ricardo Alberto **Arias**
Chairman
Security Council Committee established pursuant to resolution 1373 (2001) concerning counter-terrorism

07-53046 (E) 301007

Annex

Note verbale dated 12 September 2007 from the Permanent Mission of Ghana to the United Nations addressed to the Chairman of the Counter-Terrorism Committee

The Permanent Mission of Ghana to the United Nations presents its compliments to the Chairman of the Security Council Committee established pursuant to resolution 1373 (2001) and has the honour to forward the supplementary report of Ghana for the year 2004 to the Counter-Terrorism Committee (see enclosure).

Enclosure

Supplementary report of Ghana for 2004 to the Counter-Terrorism Committee

Ghana is a State party to all 12 universal conventions and protocols for the prevention and suppression of international terrorism. In order to be in a better position to implement these instruments as well as Security Council resolution 1373 (2001), it has requested assistance through the Counter-Terrorism Committee (CTC). To date, Ghana has benefited from technical assistances provided by several States and international organizations such as the United Nations Office on Drugs and Crime (UNODC), International Maritime Organization (IMO) and the Commonwealth Secretariat.

Consequently, and pursuant to the obligations imposed upon Ghana by Security Council resolution 1373 (2001), Ghana has produced two reports addressed and duly forwarded to the Counter-Terrorism Committee set up by the United Nations Security Council. This document is a follow-up report on the earlier ones and its main aim is to categorically state the steps taken up by Ghana in the fulfilment of its obligations to the CTC.

Operative paragraph 1

Ghana is aware of the fact that its legislation should also enable the authorities to freeze funds in accordance with operative paragraph 1 (a) of Security Council resolution 1526 (2004). Additionally, resolution 1373 (2001) stipulates that all Member States are to deny safe haven to those who finance, plan, support or commit terrorist acts. In the fulfilment of its obligation in this respect, Ghana has drafted a terrorism bill which is yet to be passed into law. This bill seeks to prevent, detect and suppress terrorism, and also to prevent the territory, resources and the financial services of the country from being used to commit terrorist acts, and generally to combat terrorism in all its forms.

Further adaptations will be triggered by the eight Special Recommendations of the Financial Action Task Force (FATF) on Terrorism Financing and by the accession of Ghana, on 6 September 2002, to the International Convention for the Suppression of the Financing of Terrorism.

Ghana has drafted a new bill on money-laundering which seeks to detect all acts of illegal gains introduced into the economy in order to disguise their true origins. The bill therefore seeks to detect and freeze all such monies with a view to eventual confiscation. It imposes obligations on financial institutions to report all suspicious transactions. Additionally, a provision in the new money-laundering bill stipulates that the Central Bank be able to monitor any relevant activities of charitable organizations, including non-governmental organizations (NGOs), with a view to ensuring that such institutions do not use their funding for money-laundering activities.

The Central Bank also imposes numerous and stringent financial regulations on all relevant financial institutions as a means of detecting and freezing all ill-gotten money brought into the national economy.

On 19 July 2004, the Council of Ministers of the Economic Community of West African States (ECOWAS) approved the immediate take-off of the

Intergovernmental Group against Money-Laundering (GIABA), its plan of action and its budget for the rest of the year as their desire to intensify the fight against money-laundering and financing of terrorism. GIABA had been launched in Dakar on 25 July 2001 following a decision by the 22nd session of the conference of ECOWAS Heads of State and Government held in December 1999 in Lome, Togo. In 2003, GIABA started benefiting from a project (RAF/F47) managed by the United Nations Office on Drugs and Crime (UNODC).

Ghana is ready to negotiate bilateral and multilateral agreements or to negotiate the inclusion into mutual legal assistance treaties of specific provisions designed to track funds given abroad for charitable, social, religious and cultural goals in Ghana as well as vice versa.

Ghana will request UNODC and the International Monetary Fund to provide coordinated legal advisory services for the drafting of relevant anti-money-laundering and financing of terrorism legislation and the establishment of a Financial Intelligence Unit (FIU). Training of personnel tasked with the implementation of this law and the management of the FIU will equally be crucial.

Operative paragraph 2
Subparagraph 2 (a)

Since 1960, possession of firearms has been a criminal offence in the national legislation.[1] Anyone who possesses firearms without the appropriate licence commits a criminal offence.

Ghana is studying the possibility of ratifying the United Nations Protocol against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components and Ammunition, supplementing the United Nations Convention against Transnational Organized Crime.

This all the more so, since Ghana participated to the United Nations Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects, held in New York from 9 to 20 July 2001, which recognizes that this Protocol establishes standards and procedures that complement and reinforce efforts to prevent, combat and eradicate the illicit trade in small arms and light weapons in all its aspects.

The Interior Minister, Mr. Hackman Owusu-Agyemang, has appealed to Ghanaians to help the Ghana National Commission on Small Arms (GNCSA) to retrieve illegal small arms and weapons which are in private hands. He said that, very soon, the GNCSA would "sensitize the public on the need to hand over illegally held arms" and the proliferation of small arms and light weapons. The Minister made the appeal at a press conference on matters relating to GNCSA in Accra. The Commission is supported by the United Nations Development Programme (UNDP). The Minister said these illegal arms and weapons could be used to organize crimes or ethnic conflicts to promote armed insurrection and rebel activities, smuggling and violence in any country, so there was an urgent need to retrieve and regulate them.

[1] The Criminal Code, 1960, Act 29 and the Possession of Firearms Decree of 1967 both criminalize the illegal possession of firearms.

Subparagraph 2 (f)

As a member of INTERPOL, Ghana looks forward to increase its cooperation with this organization and avail itself of the technical assistance programmes which INTERPOL offers, in particular in the field of counter-terrorism. Ghana will approach INTERPOL with a specific request in the near future.

Operative paragraph 3
Subparagraph 3 (a)

On 26 August 2004, Ghana participated in the inaugural meeting of the Committee of Intelligence and Security Services of Africa (CISSA) in Abuja, Nigeria. Participants to this conference identified the need to synergy in the area of intelligence and security. This mechanism would seek to be affiliated with the AU through its Peace and Security Council. Since 9 July 2002, Ghana is party to the Protocol Relating in the Establishment of the Peace and Security Council of the African Union which it ratified on 7 July 2003. It is an objective of this Protocol to "coordinate and harmonize continental efforts in the prevention and combating of international terrorism in all its aspects".